

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

MOORELAND ESTATES HOMEOWNERS' )  
ASSOCIATION, )  
 )  
Plaintiff, ) Civil Action No. 3:12-cv-00979  
 )  
 )  
 ) JUDGE WILLIAM J. HAYNES  
 )  
 )  
vs. ) JURY DEMAND  
 )  
 )  
 )  
 )  
NATIONWIDE MUTUAL INSURANCE )  
COMPANY, a/k/a NATIONWIDE )  
INSURANCE, )  
 )  
 )  
Defendant. )

**RULE 41 STIPULATION OF DISMISSAL OF BAD FAITH CLAIM WITH PREJUDICE  
AND THE REMAINDER OF THE CLAIMS WITHOUT PREJUDICE**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiff Mooreland Estates Homeowners' Association ("Mooreland") hereby stipulates that all claims against Defendant Nationwide Mutual Insurance Company a/k/a Nationwide Insurance ("Nationwide") are dismissed.

Mooreland stipulates that its claim for bad faith, pursuant to Tenn. Code Ann. § 56-7-105, is dismissed *with prejudice*.

Except for the bad faith claim that is dismissed *with prejudice*, Mooreland stipulates that the remainder of its claims stated in the Complaint are dismissed *without prejudice*.

Respectfully Submitted,

TUNE, ENTREKIN, & WHITE,  
P.C.

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 4th day of October 2012, a true and correct copy of the foregoing **Rule 41 Stipulation of Dismissal of Bad Faith Claim *With Prejudice* and the Remainder of the Claims *Without Prejudice*** was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

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